

Ysleta, in El Paso county, a certain tract of land adjoining the said town.

A bill to provide for the purchase of an additional supply of Texas Reports.

A Joint Resolution authorizing the Secretary of the Senate and Chief Clerk of the House to make an Alphabetical Index to the Special and Private Laws.

A bill for the relief of Lewis David and Hannah Alexander.

A bill for the relief of the heirs of James Lastly.

A bill for the relief of Jacob Long.

A bill for the relief of Alexander McGowan.

A bill to authorize and require the Commissioner of the Court of Claims to approve certain headright bounty and donation certificates therein named.

A bill to prohibit the issuance or delivery of land scrip, or the survey and patenting of land to the Galveston, Houston and Henderson Railroad Company, until said Company shall have complied with the requirements herein named.

On motion of Mr. Graham the Senate adjourned until Monday morning 10 o'clock.

MONDAY, February 15, 1858.

The Senate met pursuant to adjournment—prayer by the Chaplain—roll called—quorum present.

The Journal of Saturday was read and adopted.

A message was received from the House informing the Senate, that the House had passed,

A bill originating in that body, to provide the manner of returning work by the Public Printer after the adjournment of the Legislature, and

A Senate bill making appropriations to supply the deficiencies in former appropriations, and for other purposes, with amendments.

And that the House had adopted the report of the committee of Conference upon the bill to provide for arranging, digesting and publishing the laws of general nature, civil and criminal; and had passed—

A bill originating in that body, to provide for a digest of the laws of Texas, reported by this committee as a substitute.

And that the House had refused to recede from the amend-

ments to the bill making appropriations for the use and support of the State Government for the years 1858 and 1859 ; and had appointed Messrs. Chilton and Doom a committee of Conference thereon, and requested the appointment of a like committee on the part of the Senate.

On motion of Mr. Guinn, a committee of Conference was ordered on the part of the Senate.

Messrs. Grimes and Graham were appointed the committee.

A message was received from the House informing the Senate that the House had agreed to the amendments of the Senate to a bill to raise a revenue by taxation.

And had passed the following Senate bills with amendments, viz :

A bill to amend an act to define the office and duties of sheriffs, passed May 12, 1846 ; and

A bill making an appropriation for the payment of certain public debt of the late Republic of Texas, known as second class C.

Mr. Britton presented the petition of the citizens of the counties of Nueces, Starr, Webb, Zepatha, Live Oak, Refugio, and San Patricio, which on motion of Mr. Britton, was ordered to be placed on the journals, and is as follows, to-wit :

To the Honorable Senate

and House of Representatives of the State of Texas :

Your petitioners would respectfully represent that since the independence of Texas, not a year has passed without our property being destroyed, our citizens murdered, or portions of our families being carried into captivity by the Indians. Even since the meeting of this Legislature have these outrages been perpetrated. That we have repeatedly called the attention of our legislators—individually and collectively—to these facts. That we have time and again respectfully petitioned for a military force sufficient to secure our guaranteed rights to property and life, but our prayers have not been answered.

We have received, with great satisfaction, the intelligence that the petitions of a portion of our fellow-citizens have been promptly responded to, by your Honorable body, which still gives us hope ; yet we have sent up *our* prayers for the *same* protection against the *same* aggressions.

In view of these facts we feel that our just rights are either

overlooked, disregarded, or that the "Indian policy" is radically wrong.

And with no desire to dictate to your Honorable body, yet in the exercise of the rights of petition, and as good citizens, having their own interests and the true interest of the State at heart, we respectfully petition your Honorable body to pass a law setting aside that portion of Texas lying north of Red river, as an Indian Reserve, upon which, in future, to collect and settle the Indians in the State and on her border ; and that said lands for such purpose be declared exempt from location ; or to perform such other acts as your wisdom may indicate and justice to us demand.

[Signed]

F. BRITTON,
for Petitioners.

A message was received from the Governor transmitting the following communication :

EXECUTIVE OFFICE, }
FEBRUARY 3, 1858. }

HON. F. R. LUBBOCK :

President of the Senate :

SIR—I respectfully ask leave of the Senate to withdraw the message of the 13th inst., in regard to the claim of Thomas Strayton, and that the bill may be returned to this office for approval.

[Signed]

H. R. RUNNELS.

On motion of Mr. Guinn, the request of the Governor was complied with.

Mr. Paschal made the following report :

The committee of Conference, appointed to consider a Senate bill to provide for digesting the laws of Texas, and a House bill having the same object, have agreed upon a substitute, and recommend its passage.

[Signed]

I. A. PASCHAL,
Senate Chairman.

THOS. J. JENNINGS,
House Chairman.

On motion of Mr. Guinn, the rule was suspended, and

A House bill to provide for a digest of the laws of Texas, reported by the committee of Conference) was taken up and read first time.

Rule suspended, bill read second time and passed to a third reading.

Rule further suspended, bill read a third time and passed by the following vote :

YEAS—Messrs. Burroughs, Caldwell, Erath, Fall, Graham, Guinn, Herbert, McCulloch, Martin, Maverick, Paschal, Pirkey, Russell, Scarborough, Shepard, Stockdale, Truitt and Walker—18.

NAYS—Messrs. Britton, Grimes, Hyde, Lott, Pedigo, Tankersly, Throckmorton and Whaley—8.

On motion of Mr. Erath, a bill to incorporate the Bosque College and Seminary was read second time and passed to a third reading.

Rule suspended, bill read a third time and passed by the following vote :

YEAS—Messrs. Britton, Burroughs, Caldwell, Erath, Fall, Graham, Grimes, Hyde, Lott, Martin, Mayerick, Paschal, Pedigo, Pirkey, Russell, Scarborough, Shepard, Stockdale, Tankersly, Throckmorton, Truitt, Walker, Whaley and Wigfall—25.

NAYS—None.

Mr. Martin introduced a bill granting further time for holding courts and changing the time of holding courts in the counties of Henderson, Kaufman and Van Zandt ; read first time.

Rule suspended, bill read second time and ordered to be engrossed.

Rule further suspended, bill read a third time and passed.

Mr. Pirkey made the following report :

The committee on Public Lands have considered the petition of the heirs of Sam Story, and the memorial of W. O. Burnam. There seems to be no evidence sufficient to sustain the relief asked for, and I am therefore instructed to report the same back to the Senate, and ask leave to be discharged from the further consideration of the petitions.

Mr. Martin made the following report :

The committee on Private Land Claims have considered a House bill for the relief of the heirs of Y. G. Dollahite, and a House bill for the relief of Wm. B. Green, and I am instructed to report the bills back to the Senate and recommend their passage.

On motion of Mr. Caldwell, the bill for the relief of Wm. B. Green was taken up, read and passed to a third reading.

Mr. Caldwell moved a further suspension of the rules, in

order that the bill might be placed upon its final reading
Lost.

Mr. Hyde made the following report:

The committee on Public Debt to which was referred a House bill making an appropriation to pay a portion of the second class debt of the late Republic of Texas, have considered the same, and find that it makes an appropriation to pay a debt against the late Republic of Texas, that was audited and acknowledged by a joint resolution passed by the second Legislature, and approved March 15, 1848. The power of the second Legislature to pass such a joint resolution cannot be questioned, and as there is no evidence that fraud was practiced in obtaining its passage, your committee do not think that this Legislature can go behind that joint resolution to inquire into the merits of the original claim.

This debt was audited at a time when the State had no means with which to pay it, else the same Legislature which audited it would, we presume, have made an appropriation for its payment. Ten years have elapsed since this debt was audited, and it is now held, as your committee are advised, by an assignee for a valuable consideration, who took it upon the faith of a law of this State, which he had every reason to believe would be recognized and respected by its Government. If we refuse to pass this bill we repudiate a debt that has been audited by a law of the State, and bring discredit upon its Legislature. Your committee are unwilling to see such a course pursued, and therefore recommend that the bill be passed.

[Signed]

A. C. HYDE,
One of Committee.
JOHN CALDWELL,
One of Committee.

On motion of Mr. Grimes, the rule was suspended, bill taken up and read second time.

Mr. Guinn moved to amend the bill by striking out so much thereof as is based upon the interest of the same, \$16,-888 26. Lost, by the following vote:

YEAS—Messrs. Caldwell, Graham, Guinn, Martin, Pirkey Russell, Shepard, Walker and Whaley—9.

NAYS—Messrs. Erath, Fall, Grimes, Herbert, Hyde, Lott, McCulloch, Maverick, Paschal, Pedigo, Scarborough, Tankersly, Throckmorton, Truitt and Wigfall—16.

The bill was then passed to a third reading.

Mr. Throckmorton moved a suspension of the rules, in order that the bill might be placed upon its final reading. Lost, by the following vote—four-fifths not voting for the motion to suspend :

YEAS—Messrs. Britton, Caldwell, Fall, Graham, Grimes, Herbert, Hyde, Lott, McCulloch, Martin, Maverick, Paschal, Pedigo, Scarborough, Stockdale, Tankersly, Throckmorton, Truitt, Whaley and Wigfall—20.

NAYS—Messrs. Erath, Guinn, Pirkey, Russell, Shepard and Walker—6.

Mr. Scarborough offered the following resolution, which was adopted :

Resolved, That the Secretary of the Senate be required to give to each member of the Senate a certificate for the number of miles he may claim to be entitled to, and that the Secretary be required to make a tabular statement of the mileage claimed and received by each Senator, and place the same on the journals of the Senate.

The Senate concurred in the amendments of the House to a Senate's bill making appropriations to supply the deficiency in former appropriations, and for other purposes.

The Senate refused to concur in the amendments of the House to a Senate's bill making an appropriation for the payment of certain public debt of the late Republic of Texas, known as Second Class "C." and to a Senate's bill to amend an act defining the office and duties of sheriffs, passed May 12, 1846.

A message was received from the House, informing the Senate that the House had passed—

A joint resolution originating in that body, requiring the Comptroller to furnish the Public Printer a statement of the contingent expenses of the present Legislature, with printing &c., which shall be entered upon the Journals of both houses.

On motion of Mr. Caldwell, the rule was suspended, and the joint resolution was read first time.

Rule further suspended, joint resolution read second time.

On motion of Mr. Lott, the following amendment was adopted :

"And such statements shall discriminate between the accounts of the Senate and House of Representatives."

The joint resolution was then passed to a third reading.

Rule still further suspended, read third time and passed.

Mr. Grimes, by leave, made the following report :

The committee of Conference upon the disagreement of the two houses of the Legislature upon the bill making appropriations for the use and support of the State Government for the years 1858 and 1859, have considered the same, and instruct me to report, that in the opinion of the committee the Senate should recede from its action in rejecting the appropriation of \$1000, per annum, for three assistant Draftsmen in the General Land Office, and that the committee is agreed upon the appropriation of \$12,000, per annum, as the salary of the Chief Clerk in the Treasury Department.

[Signed,]

JESSE GRIMES,

Chairman part of Senate.

GEO. W. CHILTON,

Chairman part of House.

On motion of Mr. Grimes, the rule was suspended, report taken up, read and adopted.

A bill to incorporate the Lavaca Insurance company, was read third time and passed by the following vote :

YEAS—Messrs. Britton, Burroughs, Caldwell, Fall, Graham, Grimes, Guinn, Herbert, Lott, McCulloch, Martin, Maverick, Paschal, Pirkey, Russell, Scarborough, Shepard, Stockdale, Tankersly, Throckmorton, Truitt, Walker, Whalley and Wigfall—24.

NAYS—None.

On motion of Mr. Martin, a bill for the relief of J. B. & D. Wortham was taken up and read.

On motion of Mr. Russell, the bill was laid on the table.

A bill supplemental to an act to provide for the registry of deeds was read and ordered to be engrossed.

On motion of Mr. Herbert, the rule was suspended, bill read third time and passed.

Mr. Stockdale, one of the committee on the Judiciary, made the following reports :

The committee on the Judiciary, to which was referred the House bill to be entitled an act to abolish the office of clerk of the County Court &c., has duly considered the same, and I am instructed to report the same back to the Senate, and recommend that it do not pass.

The committee on the Judiciary, to which was referred the House bill, to be entitled an act to regulate proceedings in the County Courts, pertaining to estates of deceased persons, have had the same under consideration, and they instruct me to

report, that there is not time at this late period of the session thoroughly to examine the bill and pass upon its several provisions. They find, however, objectionable features in it, of such character as in the opinion of the committee would make it not advisable to substitute it for the existing law. They therefore recommend that it do not pass.

Mr. Hyde, one of the committee on Public Debt, to whom was referred the accompanying documents, viz :

The petition of Ferguson A. Hale ;

A bill for the payment of three companies of Volunteers ;
and

A bill making an appropriation for Second Class Debt, would respectfully refer the same back and request to be discharged from any further action in the premises.

Mr. Russell, Chairman of the committee on Engrossed Bills, reported—

A bill supplemental to an act to provide for the registry of deeds, &c., correctly engrossed.

Mr. Burroughs, Chairman of the committee on Enrolled Bills, made the following report :

The committee on Enrolled Bills have had under examination, and find correctly enrolled—

An act to define the dividing lines between the counties of Hill, Navarro and Limestone ;

An act for the relief of John Reid ;

An act for the relief of Robert J. Calder ;

An act to reorganize the 15th Judicial District, and regulate the time of holding Courts therein ;

An act making provision for the translating and printing of certain General Laws into the Spanish, German and Norwegian languages ;

An act to permit the Galveston Navigation company to relocate their land certificates ;

An act for the relief of Elijah Moore ;

An act to authorize the Commissioner of the Court of Claims to approve headright certificate, No. 42, issued by the Board of Land Commissioners of Robertson county, on the 9th day of October, 1841, to the heirs of Robert Thompson ;

An act to incorporate the Western Texas Fire and Marine Insurance Company, of the city of Galveston ;

An act to incorporate the San Antonio Water Company ;

An act relinquishing to Catherine R. S. Jones all the right

and title that the State has to the escheated property of David Williams, deceased ;

An act for the relief of Joseph E. Field ;

An act to remove the disability of minority from John B. Stewart and others ;

An act for the relief of H. M. Smith of Rusk county ;

An act to incorporate the McKinney Bridge and Ferry company ;

An act supplementary to and amendatory of an act to establish a Code of Criminal Procedure ;

An act for the relief of Albright Griggsby, L. W. Hancock, the heirs of Gilchrist, and the heirs of Lewis Fuentes ;

An act for the relief of George W. Goodwin ;

An act to change the boundaries of the town of Helena, in Karnes county ;

An act to authorize and require the Commissioner of Claims to approve certain headright, bounty and donation land certificates ;

An act to incorporate the Waco Union Female Institute ;

An act for the relief of George S. Hyde ;

An act to incorporate the Texas, Life, Fire and Marine Insurance company, of the city of Galveston, State of Texas ;

An act for the relief of Moses Higgins ;

An act for the relief of the heirs of Jesse Barker, the heirs of Jacob Conner, and the heirs of Jacob Eberly ;

And having been signed by the proper officers, were this day presented to the Governor for his approval.

A message was received from the Governor transmitting the following communication :

EXECUTIVE OFFICE, }
FEBRUARY 15th, 1858. }

Gentlemen of the Senate, and

House of Representatives :

I return for reconsideration to the Senate, in which it originated, an act for the relief of Lewis David and Hannah Alexander.

The evidences I deem insufficient to justify me in giving the claim of Hannah Alexander my approval.

If the claim is a good one I can see no difficulty in establishing it before the tribunal appointed by law for that purpose.

[Signed,]

H. R. RUNNELS.

On motion of Mr. Caldwell, the message was laid on the table.

Mr. Russell moved to adjourn until this evening at seven o'clock; lost.

On motion of Mr. Throckmorton, the Senate adjourned until 3 o'clock, P. M.

3 O'CLOCK, P. M.

The Senate met—roll called—quorum present.

Mr. Burroughs, by leave, introduced a bill for the relief of Lewis David, which was read first time.

Rule suspend, bill read second time and ordered to be engrossed.

Rule further suspended, bill read a third time and passed.

A House bill to provide the manner of returning work by the Public Printer after the adjournment of the Legislature; read first time.

Rule suspended, bill read a second time and passed to a third reading.

Rule further suspended, bill read a third time and passed.

On motion of Mr. Lott, the vote taken this morning adopting the resolution relative to the mileage of Senators, was reconsidered.

Mr. Russell moved to amend so as to make the resolution read, that "Senators should be entitled to mileage by the nearest mail route to their respective residences;" lost.

On motion of Mr. McCulloch, the whole matter was laid on the table.

A House bill to amend the 15th section of an act to organize the District Courts, and to define their powers and jurisdiction, approved May 11, 1846, was read third time and passed.

Mr. Pirkey made the following report :

A bill for the relief of John Laramore and James Lewis, and also a bill for the relief of the heirs of Sydney O. Pennington, deceased, were referred to the committee on Public Lands. The committee have been unable so meet for the examination of these bills. I therefore ask leave to return the bills, and ask to be discharged from their further consideration.

On motion of Mr. Britton, the Senator from Nueces was

allowed mileage for three hundred and seventeen miles, both going and coming, and the Senator from Cameron, six hundred miles, both going and coming.

The Senate concurred in the amendments of the House to a Senate's bill to amend the 15th section of an act donating lands to Railroads.

A message was received from the House informing the Senate that the House had passed—

A Senate's bill supplemental to the act donating lands to Railroads, with an amendment ;

Also, that the House had adopted the report of the committee of Conference, on a bill making an appropriation for the use and support of the State Government for the years 1858 and 1859 ;

Also, that the House had refused to recede from its amendment to a Senate's bill making an appropriation for the payment of certain public debt of the late Republic of Texas, known as second Class "C.," and had appointed Messrs. Chilton, Ross and Hart a committee of Conference on the part of that body, and requested the appointment of a like committee on the part of the Senate ;

Also, that the House had passed a Senate's bill for the relief of Jacob Wilcox ;

Also, that the House had appointed Messrs. Brown, French, and Kinney, a committee on the part of that body, to act with a like committee on the part of the Senate, to inform the Governor that the Legislature would adjourn, *sine die*, on tomorrow morning at 10 o'clock ;

And that the House had passed a Senate's bill to incorporate the Columbus, San Antonio and Rio Grande Railroad Company.

Mr. Martin offered the following resolution :

Resolved, That the Reporter of the Senate be allowed five dollars per day, from November 14, 1857, to March 16th, 1858, inclusive, and that within that time he be requested to write out the speeches of the members of the Senate.

Laid on the table.

A Joint Resolution proposing an amendment to the Constitution so as to allow the sale of the School lands, upon certain conditions, was read third time and passed by the following vote :

YEAS—Messrs. Britton, Burroughs, Caldwell, Erath, Graham, Guinn, Lott, McCulloch, Maverick, Pirkey, Russell,

Scarborough, Shepard, Tankersley, Throckmorton, Truitt, Whaley and Wigfall—18.

NAYS—Messrs. Grimes, Hyde, Paschal and Stockdale—4.

On motion of Mr. Paschal the vote concurring in the amendments of the House to a Senates bill to amend the 15th Section of an act donating lands to Railroads, was reconsidered and the Senate refused to concur in the amendments of the House.

A Joint Resolution relating to the unpaid ballance in the Treasury of the United States, appropriated for the payment of the Public Debt of Texas, was read and ordered to be engrossed.

Rule suspended, bill read a third time and passed.

On motion of Throckmorton, a committee of Conference was ordered on the amendments of the House to a Senate bill making an appropriation for the payment of a certain Public Debt of the late Republic of Texas, known as the "Second Class C."

Messrs. Throckmorton, Caldwell and Erath, were appointed said committee.

The report from the committee on Finance, recommending the indefinite postponement of a bill granting a pension to Charles Shepard of \$125 00 annually during his natural life, was read and adopted.

A bill donating eight leagues of land to the Texas Orphan Asylum, was read and laid on the table.

A bill for the relief of the heirs of Peter M. Mercer, was read and laid on the table.

A bill to change the boundary of Medina county, read second time and passed to a third reading.

Rule suspended, bill read a third time and rejected.

On motion of Mr. Russell a committee of two were ordered on the part of the Senate to act in conjunction with the committee of the House, to inform the Governor that the Legislature would adjourn *sine die*, on to-morrow morning 10 o'clock.

Messrs. Russell and Caldwell, were appointed the committee on the part of the Senate.

Mr. Throckmorton made the following report :

The committee of Conference to which was referred the difference between the two Houses on the amendments of the House to a bill making an appropriation to pay a portion of the Public Debt of the late Republic of Texas, known as

"Second Class C," have agreed that the amount to be appropriated shall be \$40,000 00 and recommend that the bill be so amended and passed.

On motion of Mr. Erath, the report was taken up, read and adopted.

The report of the committee on Roads, Bridges and Ferries upon a bill to incorporate the Navisoto Turnpike and Bridge Company, offering amendments thereto, was read, amendments adopted and bill passed to a third reading.

Rule suspended, bill read a third time and passed by the following vote :

YEAS—Messrs. Britton, Caldwell, Erath, Graham, Grimes, Guinn, Herbert, Hyde, McCulloch, Martin, Paschal, Pirkey, Russell, Scarborough, Shepard, Stockdale, Tankersly, Throckmorton, Truitt, Whaley and Wigfall—21.

NAY—Burrougus—1.

A message was received from the House informing the Senate that the House adhered to its amendment to a Senate bill sppplemental to an act donating lands to Railroads, and had appointed Messrs. Wælder, Wood and Henderson, of Harris, a committee of Conference on the part of that body and requested the the appointment of a like committee on the part of the Senate.

On motion of Mr. Paschal, a committee of Conference was ordered on the part of the Senate.

Messrs. Paschal, Tankersly and Scarborough were appointed the committee.

Mr. Shepard moved the reconsideration of the vote taken this morning refusing to suspend the rules, in order to put on its final passage a bill making an appropriation of the Public Debt of the late Republic of Texas, of the Second Class ; carried by the following vote :

YEAS—Messrs. Britton, Caldwell, Erath, Graham, Grimes, Herbert, Hyde, McCulloch, Martin, Maverick, Paschal, Scarborough, Shepard, Stockdale, Tankersly, Throckmorton, Truitt, Walker, Whaley and Wigfall—19.

NAYS—Messrs. Burroughs, Fall, Guinn, Pirkey and Russell—5.

The rule was then suspended by the following vote.

YEAS—Messrs. Britton, Burroughs, Caldwell, Erath, Graham, Grimes, Herbert, Hyde, Martin, McCulloch, Maverick, Paschal, Scarborough, Shepard, Sockdale, Tankersly, Throckmorton, Truitt Whaley and Wigfall—20.

NAYS—Messrs. Fall, Guinn, Pirkey and Russell—4.

On the final passage of the bill the ayes and noes stood as follows :

YEAS—Messrs. Britton, Burroughs, Caldwell, Graham, Grimes, Herbert, Hyde, McCulloch, Maverick, Paschal, Scarborough, Stockdale, Tankersly, Throckmorton Truitt, and Wigfall—16.

NAYS—Messrs. Erath, Fall, Guinn, Martin, Pirkey, Russell, Shepard and Whaley—8.

A bill supplemental to and amendatory of an act to regulate Railroad Companies, approved February 7th, 1853, approved 19th December, 1857, was read, and

On motion of Mr. Caldwell, indefinitely postponed.

On motion of Mr. Pirkey, a bill to amend an act to reorganize the 8th Judicial District and fix the time of holding courts therein, was taken from the table, read, and passed to a third reading.

Rule suspended, bill read a third time and passed.

Mr. Burroughs, one of the committee on Engrossed Bills, made the following report :

The committee on Enrolled Bills, have examined and find correctly enrolled,

An act to provide for a Digest of the laws of Texas, and

An act making appropriations to supply the deficiency of former appropriations and other purposes, and having been signed by the proper officers, were this day presented to the Governor for his approval.

On motion of Mr. Graham, the Senate adjourned until 7 o'clock, P. M.

7 O'CLOCK, P. M.

The Senate met—roll called—quorum present.

A bill for the relief of Thomas H. Mays ; read and laid on the table.

The report of the committee on Public Lands, upon the petition of Samuel Storey's heirs, and the memorial of Wm. O. Burnam, asking to be discharged from the further consideration of the same, was read and adopted.

A message was received from the House informing the Senate that the House refused to concur in the amendments

of the Senate to a Joint Resolution proposing an amendment to the Constitution so as to permit a sale of the School Lands,

And that the House refused to concur in the Senates amendment to a House bill to establish the salaries of the Chief Clerks of the General Land Office, Comptrollers Office, State Department and Treasurer's office had appointed Messrs. Chilton, Merriman and Cleveland, a committee of Conference and request the appointment of a like committee on the part of the Senate.

On motion of Mr. Throckmorton, a committee was ordered on the part of the Senate.

Messrs. Throckmorton, Shepard and Grimes were appointed the committee on the part of the Senate.

A bill for the relief of William B. Green, was read third time.

Mr. Guinn moved to lay the bill on the table; lost.

The bill was then passed by the following vote:

YEAS—Messrs. Britton, Caldwell, Fall, Grimes, Hyde, Maverick, Pedigo, Scarborough, Shepard, Stockdale, Tankersly, Throckmorton, Truitt, Whaley and Wigfall—15.

NAYS—Messrs. Burroughs, Erath, Graham, Guinn, Lott, Pirkey, and Walker—7.

On motion of Mr. Erath, the Senate adhered to its amendments to a Joint Resolution to amend the Constitution so as to permit the sale of the School Lands, and a committee of Conference was ordered by the following vote:

YEAS—Messrs. Britton, Erath, Fall, Graham, Guinn, Herbert, Hyde, Lott, Martin Maveric, Paschal, Pedigo, Pirkey, Scarboough, Shepard, Tankersly, Throckmorton, Truitt, Walker and Whaley—20.

NAYS—Messrs. Caldwell, Grimes and Stockdale—3.

Mesrs. Erath, Britton and Walker, were appointed the committee.

On motion of Mr. Pedigo, the vote refusing to recede from the amendments of the Senate to a House Joint Resolution relating to the Indians in the counties of Polk and Tyler, was reconsidered, and the Senate receded from its amendments.

The following petitions, bills, &c., were severally laid upon the table, after proper action thereon.

The petition of Fuguson & Hall, a money claim.

A bill for the payment of three companies of Volunteers

A bill making appropriation for the payment of a portion of the Second Class Debt of the late Republic of Texas.

A bill for the relief of John Laramore and James Lewis.

A bill for the relief of the heirs of Sidney O. Pennington, deceased.

A bill to abolish the office County Clerks and transferring the duties heretofore required of them to the Chief Justices, and

A bill to regulate proceedings in the County Courts pertaining to the estates of deceased persons.

On motion of Mr. Guinn, the Senate took recess of half an hour.

At the expiration of the time the Senate was called to order—roll called—quorum present.

Mr. Paschal made the following report :

The committee of Conference upon the disagreement of the two Houses in regard to the amendments of the House to a Senate bill supplemental to an act donating lands to Railroads, have considered the same, and beg leave to report that the House should recede from its amendment :

(Signed)

I. A. PASCHAL,

On part Senate.

J. WÆLDER,

On part House.

On motion of Mr. Tankersly, the report was taken up, read and adopted.

A message was received from the House informing the Senate that the House had passed a Senate bill supplemental to an act to incorporate the Opelousas and Texas Western Railroad Company passed by the 7th Legislature, and

That the House had adopted the report of the committee of Conference upon the bill supplemental to an act donating lands to Railroads, and

That the House had passed a Senate bill granting further time for holding the terms of the District Court in the counties of Henderson, Kaufman and Van Zandt, and also,

A Senate bill to incorporate the Corpus Christi Academy.

Mr. Throckmorton made the following report :

The committee of Conference, upon the difference between the two Houses, in regard to the amendments of the Senate, to a House bill fixing the salary of the Chief Clerk of the General Land Office, Comptroller's Office, &c., &c., have considered the same and beg leave to report, that the bill

should be so amended in the Caption and body as to allow the Chief Clerk in the Court of Claims \$1,400 00 per annum, and the Chief Clerk in the Treasurer's Office, \$1,200 00 per annum.

(Signed) J. W. THROCKMORTON,
Chairman Senate.
GEORGE W. CHILTON,
Chairman House.

On motion of Mr. Throckmorton, the report was taken up, read and adopted.

Mr. Erath made the following report :

The committee of Conference upon the Joint Resolution of the House, to amend the Constitution, so as to permit a sale of the School Funds have considered the same and beg leave to report, that the Senate should recede from its amendments.

(Signed) GEORGE B. ERATH,
Chairman of Senate Committee.
THOS. J. JENNINGS,
Chairman of House Committee.

On motion of Mr. Walker, the report was taken up, read and adopted.

A bill for the relief of Y. G. Dallahite, read and laid on the table.

Mr. Burroughs reported the following bills correctly enrolled, properly signed and this day presented to the Governor.

A bill for the relief of Jacob Wilcox.

A bill making appropriations for the use and support of the State Government for the years 1858 and 1859.

A Joint Resolution relative to the unpaid balance in the United States Treasury, of the Texas indemnity fund.

A bill to raise a revenue by taxation.

A bill to amend the 15th Section of an act to regulate proceedings in the District Courts, and

A bill prescribing the manner in which the Public Printer shall return work after the adjournment of the Legislature.

Mr. Erath, offered the following resolution which was unanimously adopted.

Resolved, That the thanks of the Senate are tendered to Hon. F. R. Lubbock, President of the Senate, for the able and impartial manner in which he has discharged his duty, as presiding officer of this body, and that he has our warmest sympathy and wishes for health and prosperity.

Mr. Martin offered the following resolution :

Resolved, That the Porters of the Senate be allowed \$2 00 per day, for their services as such.

On motion of Mr. Grimes, laid on the table.

Mr. Throckmorton offered the following resolution :

Resolved, That the Secretary of the Senate be required to send the Laws and Journals of the present session, by mail, to the members of the Senate as soon as printed ; adopted.

Mr. Burroughs offered the following resolution :

Resolved, That the Secretary of the Senate be required to send to each Senator, the Reports of the Comptroller, Treasurer and Secretary of State as soon as printed ; adopted.

On motion of Mr. Paschal, the resolution allowing the Reporter \$5 00 per day, from the 14th day of November, 1857, to the 16th of March, 1858, &c., was taken from the table.

Mr. Grimes moved to amend by striking out the "16th March, 1858," and inserting in lieu thereof "16th February, 1858 ;" lost.

Mr. Paschal moved to strike out "16th March," and insert "1st March ;" carried.

Mr. Guinn moved to lay the resolution on the table : lost.

The resolution was then adopted as amended.

A message was received from the House informing the Senate that the House had adopted the report of the committee of Conference on the bill to fix salaries of the Chief Clerks of the General Land Office, Comptrollers Office &c., &c., and

That the House had passed the Joint Resolution originating, in the Senate in response to the Governor's Message, on Kansas Affairs.

On motion of Mr. Guinn, the Journal of to-day was read and adopted, and

On motion of Mr. Erath, the Senate took a recess until to-morrow morning 9 o'clock.

TUESDAY, 9 O'Clock, February 16th, 1858.

The Senate met pursuant to adjournment.

The remaining Journal of yesterday was read and adopted.

Mr. Stockdale, from the committee on Enrolled Bills, reported the following bills correctly enrolled, properly signed, and this day presented to the Governor, viz :